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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 John Leo Davis,

10 Plaintiff,

11 v.

12 Unknown Jeans,

13 Defendant.
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No. CV-19-01972-PHX-SMB (CDB)

ORDER

15 Pending before the Court is the Report and Recommendation (“R&R”) of
16 Magistrate Judge Camille D. Bibles (Doc. 19). The R&R recommends that Defendants
17 motion for leave to file a third amended complaint be denied. The Magistrate Judge advised
18 the parties that they had fourteen days to file objections to the R&R. (R&R at 19) (citing
19 Rule 72(b), Federal Rules of Civil Procedure; Rule 8(b), Rules Governing Section 2254
20 Proceedings). Petitioner filed objections on February 13, 2020 (Doc. 20).

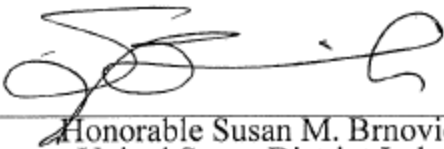
21 The Court has considered the objections and reviewed the Report and
22 Recommendation de novo. See Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1) (stating that
23 the court must make a de novo determination of those portions of the Report and
24 Recommendation to which specific objections are made). Specifically, Plaintiff disagrees
25 with Magistrate Judge Camille Bibles’ conclusion that the proposed third amended
26 complaint failed to state a claim as to Counts 1 and 3.

27 The Court agrees with the Magistrate Judge’s determinations, accepts the
28 recommended decision within the meaning of Rule 72(b), Fed. R. Civ. P., and overrules

1 Petitioner's objections. See 28 U.S.C. § 636(b)(1) (stating that the district court "may
2 accept, reject, or modify, in whole or in part, the findings or recommendations made by the
3 magistrate").

4 **IT IS THEREFORE ORDERED** that the Report and Recommendation of the
5 Magistrate Judge (Doc. 19) is accepted and Plaintiff's Motion for Leave to Amend Second
6 Amended Complaint (Doc. 17) is **DENIED**.

7 Dated this 19th day of March, 2020.

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13 Honorable Susan M. Brnovich
14 United States District Judge
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